

**REMARKS/ARGUMENTS**

In response to and in accordance with the Notice of Non-Compliant Amendment mailed September 10, 2008, Applicant submits “only the **corrected sections** of the non-compliant amendment in compliance with 37 C.F.R § 1.121.” Applicant requests the now compliant Preliminary Amendment be entered and considered.

37 C.F.R § 1.121(b)(1)(ii) states "The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strikethrough cannot be easily perceived;" and 37 C.F.R § 1.121(c)(2) states "The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived." Applicant used the samples provided by the United States Patent and Trademark Office in the "Sample Format for Revised Amendment Practice" as well as "Office Flyer: Amendments May Now be Submitted in Revised Format [PDF] (posted 30 Jun 2003)", both found on the United States Patent and Trademark Office Web site, in preparing the Non-Compliant Preliminary Amendment.

Although the Examiner has not specified corrections for the paragraph beginning at page 1, line 24, and the paragraph beginning at page 2, line 17, Applicant makes similar correction as required by the Examiner for all deletions of five or fewer characters found by Applicant in either the specification or claim amendments.

Applicant was unable to determine whether the Examiner considers a space as a character or not. For example, the Examiner has indicated that “(7, 8)” is to be deleted (five characters if the space is not counted as a character) but “of oil” and “to say” do not require deletion (also five characters if the space is not considered a character). Applicant has not made changes to any of the ambiguous “five characters with a space” deletions not specifically required by the Examiner.

Although "(18, 19)" is seven characters (without considering the space a character),  
Applicant has made the correction using brackets as required by the Examiner.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON OCTOBER 6, 2008.

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